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preferential activation zone to become an elastic zone, of said multi-layer laminate, and adjacent multi-layer non-preferential activation zones will not preferentially elongate to provide substantially inelastic regions.

2. (Second Amendment) The elastomeric film laminate of claim 1 wherein said at least one preferential activation zone has lower relative modulus regions over at least 20% of its extents on average in the direction transverse to the stretch direction.

3. (Second Amendment) The elastomeric film laminate of claim 2 wherein said at least one preferential activation zone has lower modulus regions over at least 50% of its extents on average in the direction transverse to the stretch direction.

4. (Second Amendment) The elastomeric film laminate of claim 3 wherein non-preferentially activated zones comprise a second zone having lower modulus regions at least 20% less over its extents, on average, transverse to the stretch direction, compared to the comparable extents of said at least one preferential activation zone.

5. (First Amendment) The elastomeric film laminate of claim 2 wherein said laminate when stretched will preferentially elongate the low modulus regions in said preferential activation zone past the inelastic deformation limit of at least one skin layer which layer will form a microtextured surface upon recovery of the laminate.

6. (First Amendment) The elastomeric film laminate of claim 1 wherein the laminate in said preferential activation zone will recover from its

B stretched length by 15% or more after at least 1 second.

7. (First Amendment) The elastomeric film laminate of claim 6 wherein the laminate will recover from its stretched length by 15% after at least 5 seconds.

8. (First Amendment) The elastomeric film laminate of claim 7 wherein the laminate will recover from its stretched length by 15% after at least 20 seconds.

9. (First Amendment) The elastomeric film laminate of claim 8 wherein the laminate will recover from its stretched length by less than 15% after 20 seconds and when then exposed to an activation temperature above 26.7°C will recover by at least 50% of the total recovery.

10. (Second Amendment) The elastomeric film laminate of claim 1 wherein the recovery can be initiated mechanically.

11. (First Amendment) The elastomeric film laminate of claim 1 wherein the laminate recovers by at least 15% after 1 second.

12. (First Amendment) The elastomeric film laminate of claim 2 wherein non-preferentially activated zones contain a relatively high modulus region that has been subjected to an annealing process.

13. (First Amendment) The elastomeric film laminate of claim 2 wherein said relatively low modulus regions have been subjected to a plasticization treatment.

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14. (First Amendment) The elastomeric film laminate of claim 2 wherein non-preferentially activated zones contain at least one relatively high modulus region that has been subjected to a crosslinking treatment.

15. (First Amendment) The elastomeric film laminate of claim 4 wherein, in at least one layer, a higher modulus polymer composition, than the polymer composition of said layer in at least one low modulus region, is used in said second zone.

16. (First Amendment) The elastomeric film laminate of claim 15 wherein said higher modulus polymer composition comprises higher modulus polymer than polymer in said lower modulus polymer composition.

17. (First Amendment) The elastomeric film laminate of claim 15 wherein said higher modulus polymer composition and said lower polymer composition are predominately comprised of substantially identical polymers, either or both of which further comprising a modulus modifying additive.

18. (First Amendment) The elastomeric film laminate of claim 15 wherein said high modulus polymer composition is a nonelastomer, and said low modulus polymer composition is an elastomeric composition in which at least one layer comprises a core layer.

19. (First Amendment) The elastomeric film laminate of claim 1 wherein at least one of said core layers is an inner layer and at least one skin layer is an outer layer.

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20. (First Amendment) The elastomeric film laminate of claim 16 comprising at least two skin layers.

21. (First Amendment) An elastic adhesive tape comprising the elastomeric film laminate of claim 1 wherein an area outside at least one preferential activation zone further comprises an adhesive layer.

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22. (Previous First Amendment) The elastic adhesive tape of claim 21 wherein two non-preferential activation zones are adjacent to either side of a preferential activation zone wherein adhesive layers on said non-preferential activation zones are on the same face of the laminate, which elastic tape is of a size suitable for use as an adhesive closure tab.

23. The elastic tape of claim 22 comprising a diaper closure tab.

24. The elastic tape of claim 21 wherein said preferential activation zone further comprises a low adhesion backsize on at least one face thereof.

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25. (First Amendment) The elastomeric film laminate of claim 1 wherein said at least one preferential activation zone is comprised of at least one preferential stress region.

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26. (First Amendment) The elastomeric film laminate of claim 25 wherein said at least one preferential activation zone has preferential stress regions over at least 20% of the laminate extents, on average, in the direction transverse to the stretch direction.

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27. (First Amendment) The elastomeric film laminate of claim 26 wherein at least one non-preferential activation zone comprise a second zone having preferential stress regions at least 20% less over its extents, on average, transverse to the stretch direction as compared to the corresponding extents of said at least one preferential activation zone.

28. (First Amendment) The elastomeric film laminate of claim 25 wherein said preferential stress region is formed by scoring, ablating, corona treating or removal of material from at least one layer of said region.

29. (Second Amendment) An elastomeric multi-layer film laminate comprising at least one nonelastomeric skin film layer and at least one core film layer, the at least one skin layer and the at least one core layer forming preferential activation regions and non-preferential activation regions wherein said at least one core layer is substantially elastomeric in said preferential activation regions, and said at least one skin layer and/or said at least one core layer are provided such that when the multi-layer laminate is stretched, said preferential activation regions can elongate and recover in the elongated regions to an elastic state.

30. (First Amendment) The elastomeric film laminate of claim 29 wherein said preferential activation regions define zones of preferential activation on the laminate.

31. (Second Amendment) The elastomeric film laminate of claim 30 wherein at least some of said preferential and non-preferential activation regions form a pattern which when stretched and

 recovered will form a patterned surface macrotexture with at least one microstructured skin layer in said preferential activation regions.

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32. ~~(First Amendment)~~ The elastomeric film laminate of claim 31 wherein both said preferential and non-preferential activation regions in said pattern stretch and are recovered.

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33. ~~(First Amendment)~~ The elastomeric film laminate of claim 32 wherein both said preferential and non-preferential activation regions in said pattern form microstructured skin layer regions.

34. ~~(First Amendment)~~ The elastomeric film laminate of claim 25 wherein said at least one preferential stress region has been corona ablated.

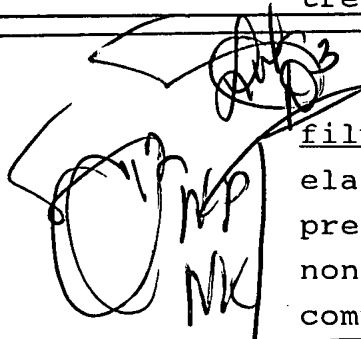
35. ~~(First Amendment)~~ The elastomeric film laminate of claim 25 wherein said at least one preferential stress region has microcracks created by corona treatment.

36. ~~(First Amendment)~~ The elastomeric film laminate of of claim 29 wherein said preferential activation regions have been corona ablated.

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37. ~~(Second Amendment)~~ The elastomeric film laminate of claim 29 wherein said preferential activation regions have microcracks formed by corona treatment.

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46. (First Amendment) An article having a film laminate with elastic regions comprising an elastomeric film laminate having elasticized preferential activation zones and nonelasticized non-preferential activation zones which laminate is comprised of at least one nonelastomeric skin film

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layer and at least one at least partially elastomeric core film layer.

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47. The article of claim 46 wherein said article is a garment further comprising an engagement surface to which the elastomeric laminate is attached.

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48. The article of claim 47 wherein said laminate is attached to said engagement surface at said nonelasticized zones.

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49. The article of claim 47 comprising a diaper.

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50. The article of claim 49 wherein said laminate comprises a diaper closure tab comprising a central elasticized zone and two nonelasticized outer zones at least one of which is adhesive coated on at least one face thereof.

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51. The article of claim 49 wherein said laminate comprises an elastizing element at a leg or waist engaging area and is attached to said engaging surface at said nonelasticized zones.

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52. The article of claim 51 wherein said elastic laminate is attached to said engaging surface with adhesive, which adhesive was applied as a hot melt thereby defining annealed nonelasticized zones.

53. The article of claim 46 wherein said nonelasticized and elasticized zones extend continuously across substantially entire extents of said laminate.

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54. The article of claim 46 comprising nonelasticized and elasticized regions which form a

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pattern with single extents intersecting multiple elasticized and nonelasticized regions within a single overall activated elasticized zone.

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The article of claim 46 wherein said elasticized zones are comprised predominately of relatively low modulus regions and said nonelasticized zones are comprised predominately of relatively high modulus regions.

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The article of claim 46 wherein said elasticized zones are comprised predominately of regions treated to create preferential stress concentration.

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(First Amendment)

The elastomeric film laminate of claim 1 wherein the activated zone width decreases by less than 20% when restretched to the extent of permanent deformation of at least one previously deformed skin layer.

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(First Amendment)

The elastomeric film laminate of claim 1 wherein the surface area formed on the microtextured skin layer is at least 50% greater than an untextured surface.

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(First Amendment)

The elastomeric film laminate of claim 1 wherein the laminate is a film formed of substantially coextensive layers having relatively constant average thicknesses across the width of the laminate.

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(First Amendment)

The elastomeric film laminate of claim 1 wherein the core and skin layers remain in substantially continuous contact in the activated zones following stretching and recovery.

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(First Amendment) The elastomeric film laminate of claim 1 wherein the skin and core layers remain in substantially intermittent contact in the activated zones following stretching and activation.

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(Second Amendment) The film laminate of claim 1 wherein the laminate is capable of recovering instantaneously, over time or upon the application of heat depending on the degree of stretch past the deformation limit of at least one skin layer in the activation zones.

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(First Amendment) The elastomeric film laminate of claim 1 wherein the at least partially elastomeric core comprises an A-B-A block copolymer.

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(Second Amendment) The elastomeric film laminate of claim 63 wherein the ABA block copolymer comprises a styrene-isoprene-styrene, styrene-butadiene-styrene or styrene-ethylene butylene-styrene block copolymer.

END

Remarks

Reexamination and reconsideration of the subject application, as amended, are respectfully requested.

Claims 1-37 and 46-64 stand rejected under 35 U.S.C. 112, first paragraph, as failing to be limited in accordance with the disclosure at page 8, lines 5 and 6. That rejection, as it applies to the claims as amended, is respectfully requested withdrawn.

Independent claims 1, 29 and 46 have been amended to state that the laminate is a film laminate comprised of film layers, where these elements are first introduced in the claims. Additionally, for consistency sake, the laminate, when introduced in the preamble of the dependent claims, has been amended to clarify that it is referring back to the film

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